

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25

LEE A. MARZILLI  
OFFICIAL COURT REPORTER  
United States District Court  
1 Courthouse Way, Room 7200  
Boston, MA 02210  
leemarz@aol.com

1 A P P E A R A N C E S:

2 ANDREW D. EPSTEIN, ESQ., Barker, Epstein & Loscocco,  
3 176 Federal Street, Suite 502, Boston, Massachusetts, 02110,  
4 for the Plaintiff.

5 SUZANNE M. ELOVECKY, ESQ., Partridge Snow & Hahn,  
6 30 Federal Street, Boston, Massachusetts 02110, for the  
7 Defendants.

8 ALSO PRESENT: Stella Oyalabu, Esq.  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

P R O C E E D I N G S

THE CLERK: Do we have all the counsel who are going to be arguing this motion?

MS. ELOVECKY: There's one other counsel of record, Matthew Greene, who represents defendants Jeffrey Cohen and the Cohen Business Law Group, but he doesn't have a motion on for today, and I'm not sure he planned to weigh in.

THE CLERK: Okay, great.

MS. OYALABU: I'm here, Stella Oyalabu on behalf of Cohen Business Group and Jeffrey Cohen.

MS. ELOVECKY: Stella, can I just ask, do you have a notice of appearance on the docket?

MS. OYALABU: No, I do not.

MS. ELOVECKY: Could I just get the spelling of your name?

MS. OYALABU: Yes. My last name is spelled O-y-a-l-a-b-u; Stella is spelled S-t-e-l-l-a.

MS. ELOVECKY: Thank you.

THE COURT: Good afternoon. Do we have everyone?

THE CLERK: Judge, this is the Clerk. We do have everyone.

THE COURT: We do have everyone and the Court Reporter?

THE CLERK: Yes.

1 THE COURT: All right, then you can call the case.

2 THE CLERK: Okay. This is the United States District  
3 Court for the District of Massachusetts which is now in  
4 session, the Honorable Marianne B. Bowler presiding. This is  
5 the case of Larson v. Perry, et al, Civil Action No. 19-10203.

6 Please be advised that any recording or rebroadcasting  
7 of court proceedings is prohibited and may result in sanctions  
8 as deemed appropriate or necessary by the Court.

9 Would counsel starting with plaintiff's counsel please  
10 identify themselves for the record.

11 MR. EPSTEIN: Thank you. Good afternoon, your Honor.  
12 This is Andrew Epstein representing Sonya Larson.

13 THE COURT: Thank you.

14 MS. ELOVECKY: Good afternoon, your Honor. This is  
15 Suzanne Elovecky representing Dawn Dorland Perry.

16 THE COURT: Thank you.

17 Well, we're here for the hearing -- who else?

18 MS. OYALABU: Good afternoon, your Honor. This is  
19 Stella Oyalabu representing Cohen Business Law Group and  
20 Jeffrey Cohen, and we have no position in this matter, this  
21 motion.

22 THE COURT: Thank you. All right, we're here for a  
23 hearing on two motions, Docket Entry 106 and Docket Entry 110,  
24 so I'll take them in that order. I remind you, Counsel, we  
25 have until 2:30. I have a criminal matter at that time, and

1 because of the time slot at the prison, I have to be prompt.  
2 So on Perry's motion to compel.

3 MS. ELOVECKY: Thank you, your Honor. She does go by  
4 Dawn Dorland in her professional capacity, so that's the name  
5 we tend to use in this matter.

6 So this is Suzanne Elovecky on behalf of Dawn Dorland  
7 and in support of Dawn Dorland's motion to compel. We filed  
8 this motion to compel in March of 2021, more than six months  
9 after initially serving requests for production on the  
10 plaintiff and defendant in counterclaim, Sonya Larson. This  
11 motion to compel was filed to seek the production, a meaningful  
12 production of documents after an initial production was  
13 provided that clearly fell short of the obligations imposed by  
14 the rules.

15 In response to the motion, there have been several  
16 arguments raised about whether or not any productions or  
17 further productions are required in this matter due to the fact  
18 that Ms. Larson has the position that she received a total of  
19 \$425 for the story at issue, and therefore that is the sole  
20 value of this matter. However, that is not the only claim at  
21 issue. There are copyright claims at issue, and my client,  
22 Ms. Dorland, is also defending against tort claims. This is a  
23 much broader issue than just a \$425 dispute. This also is an  
24 intellectual property dispute, which may not be quantifiable at  
25 this time but obviously has a lot of inherent value that goes

1     beyond a dollar figure.

2             I think it's also very interesting that while  
3     advancing an argument about proportionality, Ms. Larson is  
4     serving a second set of production requests and also advancing  
5     her own motion to compel.

6             Now, what remains most troubling about Ms. Larson's  
7     production is the apparent lack of involvement of counsel, and  
8     that was from the time that the requests were first served in  
9     August all the way through at least the first production in  
10    January. Many responses to inquiries about the scope of the  
11    production, the scope of search terms used, any inquiry into  
12    the process that resulted in the initial incomplete production  
13    was met with answers like, "Well, I don't know. I just sent  
14    the requests to my client and had her search for things." And  
15    that really causes a complete lack of confidence in what took  
16    place here and in what's been provided. There are --

17            THE COURT: May I interrupt you for just a moment  
18    because, I mean, I've read the papers, so I know the  
19    background. But, you know, it appears to me in reading it that  
20    the document production is more or less complete at this point,  
21    except possibly for the documents regarding the NEA award. So  
22    let's kind of go through what it is that you don't have and  
23    parse that through to see if we could get this resolved.

24            MS. ELOVECKY: All right. I mean, I do think that in  
25    some ways, we're at a bit of a disadvantage because you don't

1 know what you don't have when it's a negative, but I do have  
2 some items here that I have identified where I have concerns  
3 where I believe that there's more outstanding. One is that the  
4 production to date has had very little in regards to Facebook  
5 posts or Facebook communications, where the documents that have  
6 been provided to date actually indicate that there potentially  
7 were Facebook posts of the story at issue and concerning my  
8 client in a way that would be relevant to this matter, so  
9 that's one item that we're still looking for.

10 Another is that in --

11 THE COURT: Well, let's just take one at a time.  
12 Let's hear from the other side.

13 MS. ELOVECKY: Okay.

14 MR. EPSTEIN: I am unaware of any Facebook posts that  
15 Sonya Larson made. If she made any, we will be happy to  
16 produce them. I believe -- and, Sonya, you can answer this  
17 question if you're on the line -- I believe you're on the line,  
18 are you not?

19 MS. LARSON: Yes, I am.

20 MR. EPSTEIN: Oh, okay, that's all we need you to say.  
21 Thank you. But if there are Facebook posts mentioning "The  
22 Kindest" or Dawn Dorland, I'm going to encourage you to look  
23 for them and get them to me, and I will produce them. We've  
24 already agreed to produce the NEA documents, so that's really a  
25 nonissue.

1 THE COURT: All right, so all Facebook posts will be  
2 produced.

3 MS. ELOVECKY: Okay, the next -- shall I go on, your  
4 Honor?

5 THE COURT: Yes, please.

6 MS. ELOVECKY: Okay. The next item is text messages.  
7 Now, several text messages were produced; that is for sure.  
8 There were three documents that were produced that appeared to  
9 be the result of searches, and the titles of the documents were  
10 versions of my client's name; but by seeing the titles of those  
11 documents, it appears that only three search terms were used  
12 for text messages. One was "Dawn," I think one was "Dorland,"  
13 and one was a nickname that's been assigned to her by the  
14 plaintiff and her cohort. And the way that those were produced  
15 is that only the line where the search hit appeared is present  
16 on this single PDF, which makes it so that the production is  
17 essentially nonsensical. So, in my view, the production of  
18 text messages was incomplete based on the search terms, and the  
19 format of the production was not useful and was not produced in  
20 the ordinary course. That's not the way text messages are  
21 maintained. I understand the way text chains work. I saw the  
22 discussion that was in Attorney Epstein's papers, but there's  
23 ways to do this that is useful --

24 THE COURT: Just a moment. I mean, have you sat down  
25 and had a meet-and-confer and asked opposing counsel to use the

1 certain search terms that were not included in the first  
2 search?

3 MS. ELOVECKY: Your Honor, we had a meet-and-confer in  
4 January that was followed up with several emails, and when I  
5 asked questions about search terms, I was shut down completely.  
6 So, yes, we had a meet-and-confer. No, there was not a  
7 discussion about search terms.

8 THE COURT: Well, how many search terms do you want?

9 MS. ELOVECKY: So the ones of my client's name are  
10 sufficient. I think the only others that we would look for  
11 would be "The Kindest" and "kidney."

12 THE COURT: All right, can we do a search with those  
13 terms?

14 MR. EPSTEIN: Absolutely, your Honor.

15 THE COURT: All right.

16 MR. EPSTEIN: I believe we've already done it for "The  
17 Kindest," which is the name of the story. I'm not sure we've  
18 done it for "kidney," although I did put in one of my  
19 memorandums the search terms that Ms. Larson used. I don't  
20 remember if "kidney" was one of them, but I am happy to have  
21 her go back and look for "kidney" as one of the search terms  
22 for text messages.

23 THE COURT: All right, next item?

24 MS. ELOVECKY: Well, your Honor, the rest of the text  
25 message issue is the format of the search hits and the fact

1 that the conversations are really not present. It's only the  
2 very line with the search hit. So I think that that production  
3 should be supplemented so that the actual discussion that  
4 contains the text message is readable.

5 THE COURT: Well, again, at your meet-and-confer, did  
6 you ask your brother for this?

7 MS. ELOVECKY: Again, your Honor, we had a discussion  
8 that was very much one-sided, and at the time of our  
9 meet-and-confer, these documents had not yet been produced.  
10 These documents were produced after the -- well, I received  
11 these documents after the opposition to my motion was filed. I  
12 note that Attorney Epstein mailed it sooner than that, and his  
13 tracking information shows that it was delivered the day before  
14 I received it, but that was still two weeks after the motion  
15 was filed.

16 THE COURT: All right, go on.

17 MS. ELOVECKY: The other category of documents is that  
18 in Ms. Larson's reply brief, she mentioned emails that she has  
19 that she has not yet produced and offers to produce in her  
20 briefing but has not yet produced. I don't have other specific  
21 categories of documents because I can't know what she has  
22 without having it. And, again, I have not had any assurance,  
23 and I think we've seen that even in this hearing thus far, that  
24 there has been much oversight in this process of document  
25 searching and collection. The fact that Facebook posts have

1 not yet been reviewed, searched, and produced, to me is part of  
2 this problem.

3 THE COURT: All right. Mr. Epstein?

4 MR. EPSTEIN: There are 15 documents that my client  
5 has revealed that she has. One is the NEA grant information  
6 which we've already agreed to produce. So the 14 other  
7 documents, the first one includes emails with her parents. You  
8 know, her parents are obviously going to be, "Oh, poor Sonya,"  
9 you know, "we're behind you a hundred percent," and if you want  
10 us to produce them, we're happy to produce them.

11 THE COURT: Do you want them?

12 MS. ELOVECKY: Emails with her parents were already  
13 produced, and that actually wasn't the tone in those emails, so  
14 the answer is "yes."

15 THE COURT: All right.

16 MR. EPSTEIN: They will be produced. One document is  
17 a document with Eve -- I don't remember her last name, but  
18 she's the founder and director of GrubStreet, which is Sonya  
19 Larson's employer. That should be produced because it was  
20 requested by subpoena, but we will be happy to produce the  
21 emails. I think there is one or two emails, or however many  
22 emails -- I don't want to quantify it -- but we will produce  
23 those emails. There are three emails from people offering  
24 Sonya some emotional support. Again, we will produce those.  
25 An email from someone who's contacted by Dawn Dorland, we'll

1 produce that document. An email to someone saying that Sonya  
2 Larson could not attend an event that she said she was going to  
3 go to because of the time constraints of this ongoing dispute.  
4 If that's relevant, we'll be happy to produce that.

5 An email from someone asking Sonya for -- she said to  
6 me legal advice. I don't know what kind of legal advice they  
7 were asking from Sonya Larson, but maybe Sonya has become an  
8 expert in certain aspects of law just on the basis of this  
9 litigation. You know, if that could be relevant, we'll produce  
10 it.

11 Two emails from Ms. Larson who was looking for a  
12 lawyer to represent her before I got involved in this action.  
13 I'm not sure that's attorney-client privilege. I'm not sure  
14 how relevant it is. You know, I was chosen to represent her.  
15 I'd prefer not to have that one produced, so I'm going to  
16 respectfully suggest that we not produce that unless the Court  
17 orders otherwise.

18 And then an email from someone who is writing a blog  
19 post about "The Kindest." I don't know what that was. Again,  
20 I have not seen that particular document, but it certainly is a  
21 category of a document that exists; and, you know, if it helps  
22 to resolve this discovery dispute, we will produce it.

23 THE COURT: All right, next category?

24 MS. ELOVECKY: Those are my categories of documents,  
25 your Honor. I do have my arguments concerning my Rule 37

1 request.

2 THE COURT: All right, I'll hear you.

3 MS. ELOVECKY: Okay, pursuant to Rule 37, I believe  
4 that this is a case where sanctions are warranted. These  
5 requests were served in August of 2019. I understand, and I  
6 have stated in I believe all of my briefings, and I understood  
7 and was rather flexible during the fall concerning certain  
8 medical issues being experienced by both Ms. Larson and  
9 Attorney Epstein. I haven't raised that as a point of  
10 contention, but when we got to December and January and we had  
11 to push for documents, we had to do that. And documents were  
12 not produced until January. At that time, we had a  
13 meet-and-confer by telephone with multiple follow-ups via  
14 email. Via email, I asked Attorney Epstein for responses. He  
15 stated that there was no need for further productions because  
16 of the low value of this case. When I reminded him of his  
17 claims against my client, he stated -- and I included this in  
18 my papers as an exhibit -- he stated, "No. Those claims are  
19 mine to prove," somehow suggesting that I'm not entitled to  
20 documents related to his claims against my client.

21 At that point it was clear that we were hitting up  
22 against discovery deadlines, we were trying to schedule  
23 depositions, but I didn't have the documents I needed. I let  
24 counsel know that I was going to be moving ahead with this  
25 motion, but it wasn't until I said, "I'm filing the motion

1 tomorrow," that Attorney Epstein said, "Oh, Sonya Larson said  
2 she found more documents." We had no choice but to proceed  
3 because we had a deadline with the discovery period and with  
4 depositions, and there was no indication that these documents  
5 would be forthcoming within that time period. So we filed our  
6 motion, and almost two weeks after the filing, we had over 500  
7 documents, all of them highly relevant, at least a vast  
8 majority of them highly relevant, including statements about  
9 the use of my client's letter in Ms. Larson's story -- by  
10 Ms. Larson these statements were made -- and that was all  
11 produced approximately two weeks after the motion was filed.  
12 Under Rule 37, this is a basis for sanctions. We had both  
13 opportunities and attempts to confer. Significant time was  
14 permitted well beyond deadlines. This was not a trigger-finger  
15 reaction.

16 THE COURT: All right, Mr. Epstein, as to the  
17 documents that we have gone through and that you have agreed to  
18 be produced, can we have a time frame?

19 MR. EPSTEIN: It's May 14. Certainly by the end of  
20 the month.

21 THE COURT: All right. And we've covered all  
22 categories; am I correct?

23 MS. ELOVECKY: All of the categories that I am aware  
24 of, your Honor.

25 THE COURT: All right, the motion is allowed as to the

1 production, and the documents that we've talked about will be  
2 produced by the end of May.

3 As to the motion for sanctions, it's denied without  
4 prejudice. It can be renewed at the end of the case.

5 All right, moving on to Docket Entry No. 110,  
6 emergency motion to compel answers to interrogatories and for  
7 production of documents.

8 MR. EPSTEIN: Okay, thank you, your Honor. I'm just  
9 fumbling through papers, and I appreciate you allowing me a few  
10 seconds to move some papers around on my desk.

11 THE COURT: But please note that I do have a criminal  
12 matter at 2:30.

13 MR. EPSTEIN: Oh. So we tried to focus this. I'm  
14 sure Ms. Elovecky has spent almost as much time as I have. I  
15 have logged, and I'm almost embarrassed to say, 584 hours on  
16 this case already.

17 THE COURT: All right, what I want to focus on is by  
18 category what you want and what you don't have.

19 MR. EPSTEIN: I would like the interrogatories that we  
20 sent out in response to the counterclaim to be answered. We  
21 want to know Ms. Dorland's claim to be a writer and an editor  
22 and a teacher. What has she written? What did she teach? We  
23 would like --

24 THE COURT: Okay, so let's go through the  
25 interrogatories that you're not satisfied with one by one.

1 MR. EPSTEIN: So we're looking for answers to what  
2 she's written, what she teaches and --

3 THE COURT: No, please, so that the record is clear,  
4 what interrogatory are we talking about?

5 MR. EPSTEIN: This is Interrogatory No. 1, your Honor.  
6 I'm sorry.

7 THE COURT: All right, what's your objection?

8 MS. ELOVECKY: Your Honor, my objection is that  
9 Interrogatory No. 1, first of all, is very vague and ambiguous.  
10 It is almost an entire page in and of itself, and it's not  
11 broken up in subparts. It's also asking for information that  
12 is completely irrelevant to this matter. My client's career is  
13 not on trial here. What she has written, what she hasn't  
14 written, where she has taught, how she taught, none of that is  
15 at all relevant to a copyright infringement issue, to tort  
16 claims, or to anything else at issue in this case; and to me  
17 and to the way that it appears in this interrogatory, it is  
18 designed as nothing but an attempt to harass and embarrass my  
19 client. She does not have the same level of publications as  
20 Sonya Larson, which is something that has been paraded through  
21 every version of the complaint in a derogatory and demeaning  
22 way, and that is all that this interrogatory is looking to  
23 continue.

24 THE COURT: Overruled. The response to 1 is to be  
25 produced.

1 Moving on, Mr. Epstein?

2 MR. EPSTEIN: Interrogatory No. 2 is looking for  
3 whether she's written about kidney donations, anything to do  
4 with a kidney donation. And one of things that I mentioned in  
5 my brief is that it goes to the fair use defense as to the  
6 market value of her 2015 Facebook letter, and I quoted *Campbell*  
7 *v. Acuff-Rose Music*, which is the Supreme Court case that talks  
8 about the fact that market value is one of those important  
9 things that could be considered in a fair use defense.

10 So we need to know what Ms. Dorland has written about  
11 kidneys or kidney donations. What has she done with her 2015  
12 letter? As far as we can see, she's done very little with it,  
13 if anything at all, other than to make postings on Facebook.

14 THE COURT: What's your response?

15 MS. ELOVECKY: We answered Interrogatory No. 2. We  
16 answered it in full. I don't understand why this is in a  
17 motion, why we're being forced to spend attorneys' fees on  
18 arguing over something that's been answered.

19 THE COURT: All right, Mr. Epstein, your sister says  
20 she's responded. What else is it you're looking for?

21 MR. EPSTEIN: All I'm looking for is a statement that  
22 Ms. Dorland has not written anything about kidney donations  
23 other than what she's posted on her Facebook pages, both the  
24 private ones and the public ones.

25 THE COURT: All right, can we get that in affidavit

1 form?

2 MS. ELOVECKY: Well, your Honor, that's not what the  
3 request asked for, but, yes, we can. I mean, the answer said  
4 that what she has done with the letter is to send it to the  
5 administrators at the hospital where she donated her kidney.  
6 That's what she said she did; that's what she did. If she had  
7 done something else, it would be in this interrogatory answer.

8 THE COURT: All right, I'm satisfied with that.

9 Moving on to the next one, Mr. Epstein.

10 MR. EPSTEIN: Well, given the time constraints, I'm  
11 going to skip over the members of the supposedly private and  
12 secret Facebook group. There are --

13 THE COURT: Are you waiving that?

14 MR. EPSTEIN: No, I'm not. We'd like to know who's on  
15 there. Ms. Larson believes that she saw up to 250 people who  
16 were on the Facebook group, and Ms. Dorland claims that there  
17 are only a handful, 25 or 30 people in the Facebook group. It  
18 shows how widely disseminated this letter really was, that  
19 there have been redacted pages from the Facebook production  
20 that Ms. Dorland produced; and if we get rid of the deletions  
21 and redactions, we'll see exactly how many people were on the  
22 Facebook post at that time. I just would like to see the  
23 unredacted copies of the Facebook pages that were produced.

24 MS. ELOVECKY: May I respond, your Honor?

25 THE COURT: Yes, please.

1 MS. ELOVECKY: Okay, that actually is inaccurate. The  
2 redactions from the Facebook pages were made to protect  
3 Ms. Dorland's Facebook friends that are not in the group. When  
4 we produced documents back in June and July of 2020, we  
5 produced documents that were complete from the Facebook group.  
6 Attorney Epstein does have some confusion about Facebook, and  
7 it might be that he's not a frequent Facebook user, but  
8 Ms. Dorland had the Facebook account which results in a  
9 Facebook wall. Everyone who has a Facebook account has one.  
10 She had some postings there. She also had a private and secret  
11 group, which is what it is you hear and what's the requests  
12 we're speaking to and what's the interrogatories they're  
13 speaking to. All of the redactions concerned friends and their  
14 information and comment who were not in the group but that  
15 Facebook populated along the margins of Ms. Dorland's Facebook  
16 when she was creating the production. That's what the  
17 redactions were.

18 Concerning the number of people, which is what  
19 Attorney Epstein claims is most important to him that were in  
20 the Facebook group, Ms. Dorland submitted an affidavit that  
21 clearly spelled out under oath the number of people and the  
22 time periods. The identity of those people, I do not see the  
23 relevance. Attorney Epstein admitted in his papers that he has  
24 no intent to contact them. I just do not see where the  
25 identity of the people is all that relevant to this case, if at

1 all.

2 Further, in the documents that we did produce,  
3 nobody's identity other than the recipient of a kidney, which  
4 is medical information, nobody else's identity was redacted for  
5 purposes of hiding anything. Ms. Dorland doesn't have records  
6 and cannot create from Facebook a record that shows the  
7 timeline of entries and exits from the group. It does not  
8 exist, and I've stated this via email and otherwise to  
9 Attorney Epstein. So I'm really, as far as listing the  
10 members, I don't -- I'm sorry?

11 THE COURT: Hello? Are you there?

12 MS. ELOVECKY: Hi. This is Suzanne.

13 THE COURT: Are you there?

14 MS. ELOVECKY: Yes.

15 MR. EPSTEIN: Judge Bowler, are you there?

16 THE COURT: I'm here, yes.

17 MR. EPSTEIN: Okay.

18 MS. ELOVECKY: Did I get cut off?

19 THE COURT: I think momentarily you did. All right,  
20 given the hour, what is your availability for a hearing on  
21 Monday to continue this?

22 MR. EPSTEIN: I'm not available on Monday, your Honor.  
23 I'm available anytime the rest of the week.

24 MS. ELOVECKY: And I have availability every afternoon  
25 next week.

1           THE COURT: All right, let me just look at the  
2 calendar here. Oh, I'm emergency judge, so it's a busy, busy  
3 week. And, Mr. Epstein, you have no availability on Monday; am  
4 I correct?

5           MR. EPSTEIN: I have to be in Newton in the morning,  
6 and I have a dental appointment that is a year and a half in  
7 the making, your Honor, at 2:00 o'clock. I could go to my  
8 office at 3:00 o'clock. I suppose I could be available at that  
9 time.

10          THE COURT: Well, why don't I put it down for 3:15,  
11 give you a little bit more time.

12          MR. EPSTEIN: That's great.

13          THE COURT: And if you're late, well, just call in and  
14 hang on, and we'll start a little late.

15          MR. EPSTEIN: It's only a cleaning, your Honor, so it  
16 shouldn't take more than a half an hour, 45 minutes maximum.

17          THE COURT: Well, I had that yesterday for the first  
18 time in two years.

19          MR. EPSTEIN: The same problem that I had, your Honor.

20          THE COURT: All right. Well, we'll suspend, and I  
21 will talk to you on Monday.

22          MR. EPSTEIN: Thank you very much, your Honor.

23          THE COURT: All right.

24          MS. ELOVECKY: Thanks, your Honor.

25          MS. OYALABU: Thank you, your Honor.

1 (Adjourned, 2:29 p.m.)

2 C E R T I F I C A T E

3  
4 UNITED STATES DISTRICT COURT )  
5 DISTRICT OF MASSACHUSETTS ) ss.  
6 CITY OF BOSTON )

7  
8 I, Lee A. Marzilli, Official Federal Court Reporter,  
9 do hereby certify that the foregoing transcript, Pages 1  
10 through 22 inclusive, was recorded by me stenographically at  
11 the time and place aforesaid in Civil Action No. #, # v. NAME,  
12 and thereafter by me reduced to typewriting and is a true and  
13 accurate record of the proceedings.

14 Dated this 30th day of May, 2021.

15  
16  
17  
18  
19 /s/ Lee A. Marzilli

20 

---

LEE A. MARZILLI, CRR  
21 OFFICIAL COURT REPORTER  
22  
23  
24  
25